Benin

MCC learning from the final performance evaluation of the Benin Access to Justice Project

Millennium Partners, 2016

Based on the findings from the evaluation of the Benin Access to Justice Project, MCC has identified the following programmatic and evaluation lessons:

1. Programmatic Lessons:

Here are the key lessons that MCC has identified for the design and implementation of current and future justice reform projects:

- **Need for a rigorous problem analysis and baseline study before launching activities.** The A2J project began with solid baseline information for the Business Registration Activity, which likely played a role in the relative success of that activity. However, the project lacked sufficient data for the Arbitration Center and Courts Activities. The fact that some of the A2J interventions were abandoned, reduced in scope, or completed very late in the Compact may have been mitigated with more up-to-date information about the legal landscape, activities of other key donors, and social culture of Benin before launching project activities. Similarly, it was assumed that court case backlogs could be reduced by transferring cases to CAMeC. However, according to Benin law, this can only be done when the conflicting parties agree to seek resolution at CAMeC. This fundamental difference in a key assumption of the Arbitration Center Activity had implications for what results could be expected, and for actions the Compact might have taken to improve the likelihood of achieving those results.

  MCC has updated the program design timelines and approaches to take into account the necessity to complete upstream studies prior to actual implementations.

- **Need to hold development partners accountable.** Upon signing the Compact, the Government of Benin (GoB) committed to completing a variety of complementary interventions but did not follow through. For example, it did not recruit sufficient magistrates, construct prisons to accompany the new courts, or fully commit to financially supporting and staffing the new courts. It also delayed formulation of a list of books and documents to be acquired by the CDIJ. Several of these commitments were conditions precedent but the A2J Project was still able to proceed thanks to deferring or waiving of these CPs. If certain reforms and complementary interventions are considered necessary conditions to the success of an investment, it is critical to hold development partners accountable for meeting them.

  MCC has now established conditions precedent to address governments' reluctances to keep promises

- **Need for change management.** For a project requiring significant organizational changes, the A2J project did not implement sufficient outreach or change management activities. If project implementers and other stakeholders had felt more ownership over the changes, which could have been encouraged by better communication and change management support, the Arbitration Center and Business Registration activities might have avoided some of the delays they experienced.

2. Evaluation Lessons:

Here is a summary of the lessons MCC has identified for the design and implementation of current and future evaluation of similar projects:

- ***More flexibility in the evaluation methodologies and types can help ensure suitability of data collection timing and methods***. The evaluation of the Benin Access to Justice Project was initially designed as an impact evaluation – and so were data collection efforts – until it became impossible to apply an impact evaluation due to unforeseen factors. Hence the switch to a smaller-scale performance evaluation.

  MCC now keeps more flexibility and less rigidity on the evaluation methodologies, keeping in mind cost implications and learning objectives.